



DEPARTMENT OF ENVIRONMENTAL QUALITY
POLICY AND PROCEDURE

SUBJECT: PERFORMANCE MANAGEMENT
Date: March 9, 2004
Revised: May 8, 2007

Number: 07- 06.06
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AUTHORITY: Civil Service Regulation 2.06, and applicable bargaining unit contract language.

<<STATEMENT OF POLICY>>

The performance management system is an integral part of the Department of Environmental Quality (DEQ). It is designed to help DEQ achieve its mission through clear communication of the department's goals and the roles of the supervisors and employees in attaining these goals.

There are three types of performance ratings: (1) Probationary Service Rating, (2) Annual Performance Review, and (3) Interim and Follow-Up Employee Rating. Supervisors must review their employee's performance and behavior in relation to the established performance factors, objectives, and competencies. DEQ utilizes Human Resource Management Network's (HRMN) self-service automated performance management system to conduct these appraisals.

This procedure covers the Probationary Service Rating and the Annual Performance Review only. Interim/Follow-Up Employee Rating information can be found in the Discipline and Corrective Action Policy 5.04.

Per Civil Service Regulation 2.06, Section 4, Standards, A.2, all supervisory, managerial, administrative, and executive employees must have included in their performance management plan a factor or competency to establish a performance expectation for conducting timely and effective employee ratings.

Annual ratings must be issued for all non-probationary employees, every year based on a review period beginning October 1 and ending the following September 30.

<<DEFINITIONS>>

Career - Career appointment means an appointment to a classified position that is expected to last the equivalent of 90 full-time workdays or more. A career appointment may be an indefinite appointment or a limited-term appointment.



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Probationary Period - A probationary period is a working test period, which must be completed in a satisfactory manner as a condition of continued appointment. This probationary period applies to every person appointed to a position in the classified service (limited term and permanent) who does not have status in the classified service at the time of appointment and every employee with status who is appointed to a new classification.

Status Employee - An employee who has satisfactorily completed a probationary period of a different classification shall have status as long as the employee remains continuously employed in the classified service ... "i.e., when an employee breaks their continuous service and is rehired, they will again be considered a probationary employee."

Length of Probationary Period - The minimum length of a probationary period shall be 12 months of paid service for full-time employees. This may be extended up to an additional six months if the supervisor determines that:

1. The probationary period has been insufficient to adequately test the performance of a probationary employee;
2. The performance of a probationary employee has been unsatisfactory.

If a probationary employee is placed on a leave of absence without pay or an extended sick leave, the period of the leave does not count toward completing the probationary period, and the length of the probationary period is automatically extended for an additional period equal to the length of the employee's absence.

Full-Time Employees. A formal probationary service rating must be done upon completion of 6 and 12 months for full-time employees. The plan and review must be completed on-line through HRMN self-service. If the probationary employee is a new hire without status in the classified service, the appointing authority shall also rate the employee after completion of three calendar months of employment.



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Part-Time Employees. For less than full-time employment, probationary ratings will be issued after completion of nine calendar months and again after completion of 18 calendar months of employment. If the probationary employee is a new hire without status in the classified service, the appointing authority shall also rate the employee after completion of three calendar months of employment.

<<PROCEDURE>>

PROBATIONARY SERVICE RATING

Rating Process for Probationary Period

At the beginning of each rating period, supervisors shall review each competency and corresponding objectives/factors with the employee and explain that the objectives/factors will provide the basis for the employee's performance evaluation at the end of the rating period. Following review of the objectives/factors, the supervisor, followed by the employee, shall electronically certify the plan on-line signifying the plan has been reviewed.

At the time of evaluation, supervisors shall provide written detail of the appraisal of the employee's performance and behavior for the period covered. The evaluation shall describe how well the employee did or did not meet the requirements of the position.

Supervisors shall rate the employee's overall performance on the basis of the evaluation, given the job performance factors, as either satisfactory (meets expectations or high performing) or unsatisfactory. An unsatisfactory rating must be explained in detail. Supervisors shall electronically certify the evaluation section of the appropriate HRMN screen. Issuance of an unsatisfactory service rating requires the prior approval of Office of Human Resources (OHR), Labor Relations.

Supervisors shall review the rating with the employee and then obtain the employee's electronic certification of receipt on the appropriate screen. The employee's certification does not necessarily mean that the employee agrees with the evaluation and rating assigned. Supervisors have override capabilities in the event the employee refuses to certify the plan or is unavailable to certify (on leave of absence, for example). An



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employee who disagrees with the rating may enter comments into the "progress review/comments" section. These comments will become part of the permanent history and cannot be modified by supervisors.

Unsatisfactory Probationary Service Rating

Prior to issuing an unsatisfactory probationary evaluation, the OHR's Labor Relations Representative must be contacted, since an unsatisfactory rating is considered discipline. Once supervisors select this rating on-line, the system automatically generates an e-mail to OHR. Since this is considered discipline, the manager and OHR's Labor Relations Representative must physically sign a hard copy of the review during the disciplinary conference. OHR must also certify the rating on-line in order for the next rating period to be generated in HRMN.

1. A probationary employee without status, who does not perform satisfactorily during the probationary period, may be dismissed at any time during, or at the end of, that period. A status employee may also be demoted for unsatisfactory performance. At the end of the period, if a supervisor wants to extend the rating period, it may be extended up to six additional months.
2. An unsatisfactory probationary rating is treated as discipline and shall be conducted in accordance with Civil Service Rules or applicable collective bargaining agreements.
3. If a probationary period is extended beyond 12 months, a final probationary rating shall be issued no later than 28 calendar days after the end of the extension of the probationary period.

Impact of Unsatisfactory Probationary Rating

Employees will not be eligible for a step increase, a performance-pay award, or reclassification for the duration of the unsatisfactory rating. The time of the unsatisfactory probationary period is not counted as qualifying time for a step increase or reclassification.



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Disputes of Probationary Service Ratings

Unsatisfactory probationary ratings may be grieved in accordance with the provisions of the Grievance and Appeals Procedures, Civil Service Regulation 8.01, or applicable collective bargaining unit agreements.

An employee who disagrees with any comments on an unsatisfactory rating may enter comments into the "progress review/comments" section on the on-line performance management screen. These comments are filed with the probationary service evaluation and will become part of the permanent history.

ANNUAL PERFORMANCE REVIEW

This section applies to all DEQ employees EXCEPT probationary employees.

Rating Process for Annual Performance Review

Prior to the beginning of each rating period, supervisors shall meet with the employee to develop objectives/factors for the rating period. Where a consensus is not reached, the supervisor shall have final determination of the objectives/factors. Supervisors and the employee will then finalize the objectives/factors. Following a review of the objectives/factors, the employee shall electronically certify the objectives/factors.

Prior to the formal evaluation, supervisors may ask their employees to provide a written self-assessment. Following the evaluation meeting with the employee, supervisors shall provide written detail of the appraisal of the employee's performance for the period covered. The evaluation shall describe how well the employee performed using the selected competencies and established performance objectives/factors.

Supervisors shall review the rating with the employee and then have the employee electronically certify receipt on the appropriate screen. The employee's certification does not signify agreement with the evaluation or assigned rating. An annual rating



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evaluates the overall performance and behavior of the employee as “needs improvement,” “meets expectations,” or “high performing.” Annual ratings must be completed within 28 calendar days after the end of the rating period. OHR will contact the immediate supervisor if reviews are not completed timely and will work through the chain-of-command as needed to ensure that reviews are completed.

Annual Review - Responsibility When Employee Moves to Different Position

Direct Supervision for less than 6 months

The previous supervisor will not complete a formal review/evaluation. Rather, a periodic progress review will be conducted with the employee and entered on-line for historical purposes. The new supervisor will complete the Annual Review for the time period the employee was under his/her supervision.

Progress Review

The previous supervisor will meet with employee, discuss and provide feedback on the objectives and then enter comments on-line in the “progress review/comments” section. This will ensure a history of the employee’s performance is in the system and it will also provide some feedback to the employee about their work with this supervisor.

Direct Supervision for at least 6 months, but less than 12 months

The previous supervisor will conduct a periodic progress review and enter it on-line for historical purposes. The new supervisor will complete the annual review for the time period under his/her direction.

Extended Review Period:

If the employee is changing positions at or near nine months into the review year, a new Annual Plan/Review date under the “new” supervisor, will be set up for a time period longer than 12 months, for example 15 months. The new supervisor is encouraged to have an interim meeting/review with the employee while evaluating other direct reports, thus evaluating all staff at the end of the review year.



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"Needs Improvement" Annual Rating

Per Civil Service regulations, OHR must be notified of all "needs improvement" annual ratings. Once supervisors and their employees certify the rating on-line, the system will automatically notify OHR. As the appointing authority, OHR will also certify the review. This will not be a part of the employee's personnel file.

If a "needs improvement" rating is issued and other corrective action has not been taken, supervisors must establish a plan for the employee to improve the employee's performance or behavior. A progress review should be established within 14 calendar days of the rating. Another annual rating to evaluate the employee's performance under the "improvement plan" must be conducted within one month from the date the improvement plan is issued.

If the employee is not performing satisfactorily or showing improvement, regular progress reviews should continue until the employee is performing satisfactorily. The period of reviews should typically be no longer than six months. If the employee performs unsatisfactorily during the follow-up rating period, proceed with counseling memos, reprimands, or other corrective action. If the subsequent annual rating does not reflect satisfactory performance, an interim service rating should be issued.

Impact of Overall "Needs Improvement" Annual Rating

The employee will not be eligible for reclassification unless/until a later satisfactory rating is issued. A reclassification action cannot be made retroactive to a date before a new satisfactory, i.e., "meets expectations," rating is issued. Time spent under a less-than-satisfactory service rating is not creditable towards time required for reclassification. An employee under an overall "needs improvement" rating is eligible for a step increase.

Disputes of Annual Service Ratings

A "needs improvement" annual rating is not discipline and cannot be grieved unless the employee alleges that the annual rating was issued in violation of Civil Service Rule 1-8 (Prohibited Discrimination) or Civil Service Rule 2-10 (Whistleblower Protection). The



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exception is Service Employees International Union (SEIU) Local 517M, Scientific and Engineering Unit, which allows a grievance up to step-two of the grievance process.

If an employee receives a "needs improvement" rating, they may submit a request to the OHR Director for a review. The employee must state in writing where there is a discrepancy in the evaluation.

If an overall rating is satisfactory, but a negative evaluation is given on an individual subpart of the performance evaluation, such as an objective/factor or competency, this is not grievable or questionable in the departmental review procedure. The employee may enter any comments into the "progress review/comments" section. This will become part of the permanent record, and supervisors cannot make any changes to the employee's comments.

Interim Employee Rating

An interim rating can be issued to any classification of employee to document an employee's unsatisfactory performance or behavior and is considered discipline. Form CS-375 is used for purposes of this type of rating since it is formal corrective action. This rating is used for status employees where performance is unsatisfactory and typically, but not always, includes the use of counseling memos. More information on this topic can be found in the personnel policy on Corrective Action.

Approved:  Date: 5-10-07

Questions: Contact DEQ, Office of Human Resources at 517 335-1100